

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

WASEEM DAKER,

Plaintiff

VS.

JAMES E. DONALD, et al.,

Defendants

NO. 5: 04-CV-393 (WDO)

**PROCEEDINGS UNDER 42 U.S.C. §1983
BEFORE THE U. S. MAGISTRATE JUDGE**

ORDER

In accordance with provisions of the *Prison Litigation Reform Act*, a **Waiver of Reply** has been filed on behalf of defendants WILLIAMS, REESE, ADAMS, DONALD and ALI. The filing of such a waiver compels the court to review plaintiff's complaint and determine whether plaintiff has a "reasonable opportunity to prevail on the merits" of his claim(s). Upon conducting such a review, the undersigned finds that plaintiff does have a reasonable opportunity to prevail herein on the merits of his complaint against the defendants, at least to the extent that further factual and legal development is necessary. However, only plaintiff's claim of retaliation will be considered.

Accordingly, IT IS ORDERED AND DIRECTED that the defendants shall **WITHIN THIRTY (30) DAYS** of receipt of this order file an answer to plaintiff's complaint and/or any dispositive motion(s) as may be permitted by the **FEDERAL RULES OF CIVIL PROCEDURE**.

SO ORDERED AND DIRECTED, this 2nd day of NOVEMBER, 2005.



A handwritten signature in blue ink, reading "Claude W. Hicks, Jr.".

CLAUDE W. HICKS, JR.
UNITED STATES MAGISTRATE JUDGE